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July 3, 2008

VIA FACSIMILE

Hon. Colleen McMahon
United States District Court for the
Southern District of New York
500 Pearl St., Room 640
New York, NY 10007

MEMO ENDORSED

Re: Eubank v. New York Institute of Technology 08 Civ. 3436

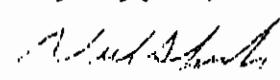
Dear Judge McMahon,

We represent New York Institute of Technology, defendant in the above-referenced action. Due to a scheduling conflict, we are writing to request an adjournment of the initial pretrial conference currently set for July 11, 2008. No previous requests for adjournment or extensions have been made by either party.

Pursuant to a telephone conversation on July 2, 2008 with Jared M. Lefkowitz, attorney for plaintiff, plaintiff consents to an adjournment of the initial pretrial conference to the week of July 14, 2008. Plaintiff requests that the conference be rescheduled to either July 14, 15, 17, or 18. Thank you for your attention to this matter.

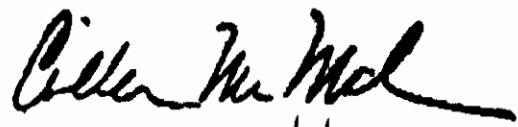
USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>7/7/08</u>

Very truly yours,


Neil G. Sparber

*reschedule
7/18/08 @ 11:00 a.m.*

Cc: Jared M. Lefkowitz


Colleen M. McHugh
7/7/08

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